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Friday, June 29, 2007

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Local News

06/28/2007

Man, girl dead in apparent murder-suicide

BY SHERI MCWHIRTER

smcwhirter@record-eagle.com

GAYLORD — A child and a man are dead in what police are calling a murder-suicide.

Thomas Harold Gardner, 24, died of a self-inflicted gunshot wound early Tuesday, about an hour before he was to be interviewed by police about last week's death of Ella Rylin Westcott, 2, his girlfriend's daughter.

"Through our investigation and preliminary findings by pathologists, this case is being investigated as a homicide," said Gaylord Police Chief Joe FitzGerald.



Gardner

FitzGerald said Gardner was a person of interest in Ella's death when he killed himself.

Two days before Ella's death, police said she apparently fell down some stairs and had a head wound that was treated at Otsego Memorial Hospital in Gaylord. She was released with staples holding together a gash in her head.

Hospital officials refused to comment, citing medical privacy laws, but FitzGerald said the hospital did not report the girl's injuries as suspected child abuse.

Maureen Sorbet, spokeswoman for the Michigan Department of Human Services, said she could not disclose whether there were prior child abuse investigations in the home because of privacy regulations.

Ella was found dead around 6:50 a.m. June 21 at a house on South Illinois Street in Gaylord. An autopsy was performed in Lansing, and a funeral was held Monday in Gaylord.

Police said they are investigating whether the child sustained additional injury after the hospital visit.

"Mr. Gardner was one of the people who lived in the house and we wanted to talk to him," said Gaylord police Detective Sgt. Doug Kussrow.

Detroit Free Press - www.freep.com - Hearing for Warren mom accused of killing 2-year-old son moved... Page 1 of 1



Hearing for Warren mom accused of killing 2-year-old son moved to July

June 28, 2007

BY DAN CORTEZ

FREE PRESS STAFF WRITER

A preliminary hearing was pushed to next month for a 27-year-old Warren mother who is accused of killing her 2-year-old son.

Crystal Conklin is charged with open murder and first-degree child abuse in the death of her son, who died at St. John Detroit Hospital on June 13. She is being held in Macomb County Jail in lieu of \$500,000 bond. Her next court date is set for July 18.

Police said Conklin's fiancé returned to their home June 11 and asked where the boy was. She said he'd been throwing up and was lying down. After finding him unresponsive, the fiancé took him to St. John Oakland Hospital. Hospital staff called police after finding new and old bruises on his body.

The boy, whose name was not released, was transferred to St. John Detroit Hospital and underwent emergency brain surgery and later died. He suffered bruising and blunt force trauma all over his body and had a debilitating eye condition.

The boy's father has cooperated with police but is expected to face charges.

Contact DAN CORTEZ at 586-469-1827 or dcortez@freepress.com.

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Redford man pleads no contest in Swartz Creek molestation case

GENESEE COUNTY
THE FLINT JOURNAL FIRST EDITION

Friday, June 29, 2007

By Paul Janczewski

pjanczewski@flintjournal.com • 810.766.6333

GENESEE COUNTY - A Redford man faces a minimum of 20 years in prison for sexually molesting a girl who called him "Uncle Eric."

Three sexual molestation cases involving two separate victims in Genesee, Wayne and Shiawassee counties against Eric C. Garland, 37, of Redford, were wrapped up when he entered pleas.

Garland pleaded no contest to first-degree criminal sexual conduct in the Genesee County case Wednesday. A no contest plea is not an admission of guilt but is treated as such for sentencing.

He originally was charged with one count of first-degree criminal sexual conduct and two counts of second-degree criminal sexual conduct in a case involving a Durand girl, then 13, in Elms Road Park last October.

In exchange for his plea, prosecutors dismissed the lesser counts and recommended a sentence of 20-30 years.

Genesee Circuit Judge Judith A. Fullerton scheduled a July 23 sentencing for Garland, who is being held without bond in the Genesee County Jail.

The victim testified that Garland was a close family friend. She said he picked her up Oct. 11 at her Durand home and took her for a ride. She said they drove to Swartz Creek and pulled into Elms Road Park just before 11 p.m. She said he bound her hands and covered her eyes with duct tape and molested her.

The molestation stopped when a Swartz Creek police officer approached the vehicle.

Attorney Barry A. Wolf, who represents Garland, said he pleaded no contest because of potential civil liability and an inability to recall the entire episode.

Garland also was recently sentenced to 20-30 years in prison in Wayne County, where he pleaded to another charge of first-degree criminal sexual conduct involving the 8-year-old daughter of a relative.

Officials in Shiawassee County dismissed a similar charge against Garland because the victim was the same in both cases.

Garland, who has prior burglary convictions from 1992 in Alabama, was determined competent for trial after being examined at a state facility and by an independent psychiatrist.

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June 29, 2007

Editorial

State must do better for foster care kids

The Detroit News

Michigan is still failing the kids in its care. A new state report finds that the foster care system is plagued by overwhelming caseloads, causing burnout and high turnover among caseworkers. It's time to re-examine state laws that have made so many children permanent wards of the state.

The situation may be part of the reason for recent cases in which children in foster care have been abused or died, the report by the state's Foster Care Review Board says. The report, issued this month, mirrors a federal court lawsuit filed against the system last year by Children's Rights, a national advocacy group. The case, which contends that worker caseloads are too high to adequately protect children, is headed for trial. The state Department of Human Services says the caseload varies by county, ranging from 20 to more than 30 cases per worker.

It agrees with many of the board's findings. Gov. Jennifer Granholm, in her 2008 budget, has proposed the hiring of more than 250 additional workers dedicated to finding permanent homes for foster care kids. That would be a big improvement, if the money can be found in the state's budget crunch. Other ways have to be found to move kids out of the system.

There are more than 6,000 wards of the state. These children have been removed from their homes because their parents' rights to them have been terminated. In 2004, there were 3,543 unadopted or unadoptable wards. There were 1,716 total wards in 1986.

A widely noted analysis by Chief Wexford County Probate Judge Kenneth Tacoma blames this increase on 1996 changes in state law that he contends forced a "rush to termination" of parental rights, creating more "legal orphans." The system, as the federal lawsuit and the state Foster Care Review Board contend, isn't equipped to handle the influx of so many children. There aren't enough foster parents or adoptive homes, experts say.

Michigan Supreme Court Justice Maura Corrigan has formed a working group to respond to the problem. It has recommended slowing the number of terminations, instead offering judges the ability to create temporary guardians for the children who have legal authority to act in their interests. If the parents of children who have been removed can be rehabilitated, the children could then be returned to them.

In addition, the group suggests that supervising courts be informed of instances in which children are moved from foster home to foster home. That indicates a problem that would require intervention.

But Chief Wayne Probate Judge Milton Mack and others are impatient with the pace of reform. "The system is flawed, and progress is not being made to fix it," Mack says. Lawmakers should move more quickly to resolve this issue.

Return to regular web page



JENNIFER M. GRANHOLM

STATE OF MICHIGAN DEPARTMENT OF HUMAN SERVICES LANSING

MARIANNE UDOW DIRECTOR

News Release

Contact: Maureen Sorbet (517) 373-7394

Michigan Department of Human Services Summarily Suspends the Group Day Care Home License, Number DG820063698, of Lorraine Ziemba

June 29, 2007

The Michigan Department of Human Services (DHS), Office of Children and Adult Licensing issued an order of summary suspension and notice of intent to revoke the license of Wayne County group day care home provider Lorraine Ziemba, 25232 Andover, Dearborn Heights, Michigan. This action resulted from a recent investigation of a complaint of the child day care group home.

The June 27, 2007, complaint investigation found violations of the Child Care Organizations Act and administrative rules regarding caregiver and child care home family requirements, assistant caregiver suitability, supervision and daily activity program. OCAL took emergency action to protect the health, welfare, and safety of children.

Effective 6:00 p.m., June 28, 2007, the Summary Suspension Order prohibits Lorraine Ziemba from operating a group day care home at 25232 Andover, Dearborn Heights, Michigan or at any other address or location. Accordingly, she may not accept children for care after that date and time. The order also requires Ms. Ziemba to inform all of the parents of children in her care that her license has been suspended and that she can no longer provide day care. Ms. Ziemba contests the revocation of her license; therefore, OCAL will refer the matter to the State Office of Administrative Hearings and Rules to set a hearing.

Ms. Ziemba has held a license to operate a group day care home since June 15, 2004. The license was for twelve children.

Michigan law defines a group day care home as a private home in which more than six but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year.

For more information, consult DHS Web site at www.michigan.gov/dhslicensing.





Immigration bill dead, but fears live on

Friday, June 29, 2007

By Ted Roelofs

The Grand Rapids Press

SPARTA -- In many ways, this family of five is like many others in West Michigan.

They go to church. They pay taxes. The oldest daughter does well in school and dreams of college.

But with the collapse of an immigration reform bill in the U.S. Senate on Thursday, the parents continue to fear a knock on the door that could split this family in two.

They broke immigration law a decade ago when they crossed the Mexican border, and they could be deported. Their three daughters are citizens because they were born in the United States.

"All it would take is one phone call, and you are gone," said the father, Ignacio, 45, who spoke in Spanish through an interpreter and asked that his real name not be revealed.

"I live very fearfully, watch everything I do, all out of fear of being deported."

The bill defeated Thursday, which was backed by President Bush, would have offered a complex path to citizenship for many of the 12 million people who reside in the United States illegally.

In the end, it was scuttled by anxiety about illegal border crossings and anger over a measure critics called nothing less than amnesty. Rush Limbaugh and other conservative media icons lined up against it.

A poll earlier this month by Rasmussen Reports found that 69 percent of voters favored reform that focused on securing the border and on reducing illegal immigration.

U.S. Rep. Pete Hoekstra, R-Holland, said the failed Senate measure deserved its fate.

Hoekstra was outspoken among House Republicans who opposed the Senate immigration measure and introduced a measure approved Tuesday by the Republican conference by a 114-to-21 margin.

"It (the bill defeated in the Senate) offered a pathway to citizenship, which clearly the Republican conference is opposed to and clearly the American people are opposed to,' Hoekstra said.

"It would have effectively rewarded people who had gamed the system. It would have rewarded lawbreakers with one of the most precious pieces of paper in the world, which is American citizenship."

But to Teresa Hendricks, executive director of the Michigan Migrant Legal Assistance Project, it is hard to justify turning away from those who do some of our toughest jobs.

And, like it or not, she said, they are part of our community.

"Our country and economy are growing and changing. Each time our country has grown for the better, immigrants have done the heavy lifting.

"The less appealing the job is, the more likely you are going to find an illegal immigrant doing it. The harder the work, the lower the pay, the more likely that the person doing it is foreign-born."

Hendricks called the defeated immigration reform proposal "the best compromise available."

A study by the Pew Hispanic Center estimated illegal immigrants make up 24 percent of agricultural workers, 14 percent of construction workers and 12 percent in food preparation.

In total, the estimated 7.2 million workers are about 5 percent of the civilian work force.

The Washington D.C.-based Urban Institute, a non-partisan social policy research organization, estimates the number of undocumented immigrants in Michigan at 120,000 to 150,000. As many as 40,000 are estimated to live in West Michigan.

Ottawa County tops the state in the number of migrant workers. It sees 6,030 migrant and seasonal workers each year, a number that swells to 11,942 when family members also are counted. Kent County ranked fifth, with 3,280 migrant workers and 3,496 non-workers in migrant households.

Oceana County farmer Jerry Brandel said crops would rot in the field without undocumented workers. Brandel, president of Hart Produce Co., grows cucumbers and asparagus.

"We are trying to get our crops harvested, and those are the only ones willing to work. Who is going to do the work, that is my question."

Brandel favors a work-permit program that would make it easier for agricultural workers to come here.

"What they need is a work permit where they can apply for citizenship. If they have a good track record and pay their taxes, they could become citizens."

For Ignacio and Rosa (also not her real name), that remains an elusive dream.

They met 15 years ago at the home of a wealthy lawyer in Mexico, where Ignacio worked as a gardener and Rosa was a cook. Ignacio is a native of Mexico, while Rosa made her way north from a village in Guatemala in search of a better life.

For much of the past decade, they have lived in cramped migrant quarters in northern Kent County while picking apples and cherries. Ignacio now does maintenance for an apartment complex while Rosa looks after their infant daughter.

Ten months ago, they bought a trailer for \$1,600, a big day for them and their three children, 11, 7 and 1. Rosa has carefully decorated the inside, with dozens of pictures of family and friends on the wall.

One of those pictures reveals the family, which was then four, standing with pride in 2005 in front of the White House.

Ignacio finds no irony in the image.

"We have respect for this country. We have love for this country that adopted us," Ignacio said.

Send e-mail to the author: troelofs@grpress.com

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Jun 28, 10:14 PM EDT

GOP: No tax vote until Granholm halts pay raise for state workers

By DAVID EGGERT Associated Press Writer

LANSING, Mich. (AP) -- The top Republican in the Legislature and Democratic Gov. Jennifer Granholm on Thursday continued sparring over a tax increase and cost savings in state government.

Senate Majority Leader Mike Bishop, R-Rochester, said he will not allow a vote on a tax hike until Granholm halts a pay raise that state employees are scheduled to get in October. He also said Michigan should freeze tax breaks for low-income workers that are set to take effect in 2008.

"Until such time as the governor and House Democrats agree to cuts and real reforms to government, Senate Republicans have no intention of obliging the governor with a vote on her tax increase proposals," Bishop said in a statement.

Granholm spokeswoman Liz Boyd said the governor cannot eliminate raises in union contracts by herself, argued that state employees have made concessions in recent years and pointed out that Bishop let pass the Senate's chance to cancel the pay increase. The move would have needed a two-thirds vote in the House and Senate.

Bishop's statement is a response to a letter the Democratic governor sent Monday saying there was an agreement, reached May 25, to raise the state income tax and expand a sales tax to some discretionary services. Bishop disputes that and released a list of proposed cost savings Thursday that he wants before considering a tax increase.

A tax increase has not been taken up in the Democrat-led House, either.

Some changes Bishop wants include:

- -freezing a new state earned income tax credit for low-income workers, saving \$120 million:
- -changing work requirements for welfare recipients;
- -privatizing part of the prison system;
- -suspending a law requiring contractors to pay union wages when working on a taxpayer-funded project if the state's unemployment rate is more than 20 percent



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higher than the national average.

Boyd in turn called on Bishop to hold a vote on his proposals.

"Let's get moving," she said.

Democrats doubt that many of the ideas even have the full support of GOP lawmakers. Republicans doubt a tax hike has backing from Democrats.

Bishop acknowledged to reporters that Granholm cannot solely cancel pay raises but urged her to try and renegotiate existing contracts, particularly with corrections officers who are paid more than the national average, he said. Boyd said the administration will ask for "additional reforms" when it negotiates the next round of contracts with employees.

"We not only asked for concessions, we got concessions to the tune of \$300 million," she said of past concessions agreed to by state workers.

State workers are scheduled to get a 2 percent raise in October and 2 percent raise in April 2008. They got a 2 percent raise in the 2005-06 fiscal year and a 4 percent raise in the current budget year.

During Granholm's first term, state employees had to take unpaid days off and worked 40 hours a week but were paid for 38 to help the state through its earlier budget problems.

The two hours were banked and either used toward vacation time or were to be paid to employees when they retired or left state service.

House Democrats late Thursday passed two departmental budget bills for next fiscal year, perhaps foreshadowing a pending tax increase fight. The bills are versions of spending plans for corrections and community health, calling for spending millions more than in the current budget.

The bills passed 59-50, mostly along party lines in the Democrat-controlled House.

Angry Republicans said lawmakers have not yet approved a way to pay for extra spending.

"A vote for this budget is a vote for an income tax increase, a sales tax increase, and probably both," said Rep. Dan Acciavatti, a Republican from New Baltimore who voted against the budget bills.

The Senate must pass its own versions of the budget bills before a compromise will be found.

Associated Press writer Tim Martin contributed to this report.

The budget bills are House Bills 4344 and 4348.

On the Net:

Michigan Legislature: http://www.legislature.mi.gov/

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Granholm: Lawmakers should take pay cut

6/29/2007, 10:27 a.m. ET

By DAVID EGGERT The Associated Press

LANSING, Mich. (AP) — Lawmakers should take a pay cut if state workers are going to be asked for concessions to help fix state government's financial crisis, Gov. Jennifer Granholm said Friday.

"I recognize that everyone needs to sacrifice," Granholm told reporters a day after a top Republican said he would not hold a vote on a tax increase unless the governor halts a pay raise for state employees. "That means leadership needs to sacrifice, too."

Granholm said she gives back 5 percent of her \$177,000 annual salary.

"The Legislature needs to lead by example as well," she said, noting that she cannot unilaterally cut workers' pay.

The Democratic governor said employees agreed to concessions in previous labor contracts, and she appeared to favor renegotiating the next round of contracts rather than reopening the current three-year deal. Workers are scheduled to get a pair of 2 percent raises in the next fiscal year. Senate Majority Leader Mike Bishop, R-Rochester, says freezing the raises would save \$109 million.

Granholm spoke at a media round-table to highlight how the replacement for the state's Single Business Tax approved Thursday will help her recruit businesses in other states and overseas.

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Legislators consider Medicaid cuts to help ease budget woes

The Enquirer

As state legislators grapple with balancing the budget, some are looking to save dollars by cutting back on Medicaid.

Since 1994, the number of Michigan families on the low-income health insurance program has increased steadily — which Jane Zehnder-Merrell, a senior planning and research associate for the Lansing-based Michigan League of Human Services, said is a good thing.





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to the emergency room and in the end, we pay for that." In fiscal 2006, 33,300 people in Calhoun County were eligible for Medicaid at a cost of

\$153.92 million in the

access to care, they go

"Clearly, it's better than

people having no

coverage at all," she

nonprofit community Thursday. "When

said to members of

Calhoun County's

people don't have

state budget, including the MIChild health insurance program and adult waiver benefits.

Skyrocketing health care costs and decreasing employer-based insurance coverage have contributed to more families on Medicaid.

"The Medicaid program is not at fault," said Jan Hudson, also a senior planning and research associate for the league. "It's doing exactly what it is designed to do: Provide coverage to people who need it."

Generally, low-income children, pregnant women, adults in families with dependent children, individuals with disabilities and the elderly are eligible.

Medicaid is state-administered with federal matching funds. States can define eligibility requirements within federal guidelines.

To try to cut Medicaid further is ludicrous, Zehnder-Merrell argued.

When that happens, the cost of coverage is pushed on the health care provider, which in turn raises premiums for individuals.

An estimated 25 percent of low-income wage earners making between \$10,000 and \$15,000 have no insurance. Even those low-income earners Legislators consider Medicaid cuts to help ease budget woes | Battle Creek Enquirer - www.battlecreeke... Page 2 of 3

who have it often can't pay the premiums, Zehnder-Merrell said.

In 2004, the average premium cost of family coverage was \$9,763 — almost equivalent to a low-wage salary, she reported.

Every dollar the state spends through Medicaid is returned in \$1.39 of federal matching funds. That's the largest chunk, 44 percent, of federal funds Michigan receives.

Elizabeth Huff can be reached at 966-0684 or ehuff@battlecr.gannett.com.

STORYCHAT (

Comments by: mrshlinws

Posted: Fri Jun 29, 2007 9:23

I don't object to a little help for those who need it . . . but when we have generations of welfare and Medicaid recipients, which we do, it doesn't help them - it enables them into not taking care of themselves.

Many, many years ago I was a brand new single mom. In order to get any type of health care (my job didn't have benefits) Social Services told me to quit my job so I could get Medicaid.

I did. Part of the program was to help me go back to school. I did, got my degree and ended up being a successful person who never needed any type of help again.

That's what the program is for. Unfortunately, most don't use it to better themselves.

Comments by: amandanicole

Posted: Fri Jun 29, 2007 9:20

Never said EVERYONE on medicaid is lazy, and never said they aren't legit. There ARE however people who abuse the system and have been on it more then 5 years. They have no good reason that they are not working, some of them even try to use their weight as an excuse, gee I'm sorry maybe if you worked you wouldn't weight 500 pounds. That was not a fat joke, it's the truth. How many people do you see that have handicapped spots, when the problems could have been prevented had they lost weight? We have 2 that work here and just had a big dispute because they wanted to park up front and not in handicap because their doctor has been suppose to give them a h.c. thing to take to SOS. If you don't think that at least 25 % of the claims for medicaid are because people just don't want to work the jobs available and that a large majority of those also sell drugs, you need to open your eyes. I would love to do a study and find out so I can rub it in everyone's face who thinks I'm just trying to say people are lazy, They are! Open your eyes! Don't you think if these people had jobs maybe the crime rate would go down a little too?? If they are actually working, whether it's an exec, mcdonalds, denso,. whatever.. they wouldn't be out shooting each other and making babies... prove me wrong.. please...

Comments by: tiredofthecreek

Posted: Fri Jun 29, 2007 9:12

No it doesn't mean that 90% of people are on the system just because we know a few that are milking the system for all they can. But I can guarentee that there are alot more just like those out in the world that are doing nothing more than wasting taxpayer dollars because they are in fact to lazy to work.

How bout this, go drive through a poverty stricken area of town. Go ask how many of them get public assistance, and then ask them if they work. Ecspecially the younger crowd. I bet you are more than likely going to find that they get public assistance, do not work, and have no reason as to why they dont have a job. (Besides not being able to work cause they are 8 months pregnant)

Atleast if they are going to be on p.a. they should work if they can. But the problem is that the jobs that are available they do not wanna work. In BC you can open the paper or shopper and you will see ads for the temp agencys. But people dont wanna work in a factory. You can goto almost any fast food place in this town and they are hiring. But people dont wanna work in fast food. Who cares, atleast attempt to help pay into the system that is supporting you, but people do not see it that way either. These people see it as you owe us and thats why they sit around and make babies.

Comments by: ladygerts1@aol.com Posted: Fri Jun 29, 2007 9:08

I do have a problem with the way poverty is looked at in this country. It seems that people are disgusted or turned off by the poor. Everyone needs to realize it could be them. "There but for the Grace of God go I" We were raised poor and we all turned out well. Not because of money but

because of love from Mom and respect for her and hard work. Simple.

Comments by: **charles** Posted: Fri Jun 29, 2007 9:07

am

AHS64,

Wonderful post

Originally published June 29, 2007

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